

OVERSIGHT COMMITTEE MEETING

EMNAMBITHI/ LADYSMITH MUNICIPALITY

**MINUTES OF THE OVERSIGHT MEETING HELD ON MONDAY, 17
JANUARY 2011 IN THE ACTIVITIES ROOM- MAIN LIBRARY, MURCHISON
STREET, LADYSMITH**

PRESENT

Councillors

PA Porrill
Z Rasool
BB Khumalo
ASD Warasally
V Ramdaas Bachu
TE Ndlovu

Officials

NJ Mdakane
RG Reddy
H van Zyl
S Sibande
AR Ngwenya
DN Zuma
M Khulu

Audit Committee Members

E de Franca

Performance Audit Committee Members

TP Kunene: Chairperson
HPH Kubeka

ABSENT

Councillor: BD Jubber

LEAVE OF ABSENCE

PS Mtaka
CJ Rautenbach
P Kean
GCH Gard: Chairperson
MP Khathide
RA Jhetam
C Cronje
S Mahraj

1. NOTICE CONVENING THE MEETING

Read.

2. LEAVE OF ABSENCE

Application for leave of absence was received from C.J. Rautenbach, M.P. Khathide, P.S. Mntaka P. Kean and GCH Gard.

3. MATTERS FOR CONSIDERATION

3.1 Terms of Reference of the Oversight Committee (Appendix A)

- Mr S. Sibande went through the terms of reference of the Oversight Committee.
- The Oversight Committee should take into consideration that the Annual Report was tabled and approved by Council on the 15th December 2010.

// Mr H. van Zyl joined the meeting at this stage.//

3.2 Election of Chairperson

- Councillor V Ramdaas Bachu nominated Councillor Z. Rasool as a Chairperson of the Oversight Committee. Councillor P.A. Porrill seconded the nomination.
- Councillor Z. Rasool welcomed everyone to the meeting and continued with the Agenda.

// Councillor B.B. Khumalo joined the meeting at this stage.//

3.3 Process and Timeframe for the finalisation of Oversight Report (Appendix B)

- No comments received from the public.

3.4 Annual Report Check List (Annexure C)

- It was suggested that the Councillors and Departments should comment on the checklist and submit the responses through an e-mail or in writing to the PMS section- **Mr S. Sibande's office by Thursday, 20 January 2011.**

3.5 Auditor- General Report (Attached in the Annual Report, Chapter 4)

- Mr Sibande explained the report from Auditor General to the Oversight Committee.

3.6 Submissions by the Audit Committee Report (Attached)

- Audit Committee Member: Ms E. de Franca presented the Audit Committee Report.
- Concerns from the Auditor General's office: Under the 'Report of the Auditor General' heading: amend the following:
 1. "16 Important matters or matters affecting the Auditor's report were raised".
 2. Under the 'Effectiveness of internal control' heading: "The Auditor General relies heavily on the strength and competence of internal audit staff".

3.7 Submissions by the Performance Audit Committee Report (Attached)

- Chairperson: Performance Audit Committee, Mr T.P. Kunene presented the Performance Audit Committee Report.
- Mr R.G. Reddy commented on the statement: "Annual targets were caused mainly as a result of the lack of skilled/ semi skilled staff" saying that it's ambiguous.
- The Municipal Manager concurred with Mr T.P. Kunene saying the staff shortages are a problem in this Municipality. For example: it is a challenge to find a suitable candidate for a post at Public Safety- Assistant Manager: Fire. Projects are suffering because of a shortage of staff in the Electricity and Engineer's Departments.
- Mr H. van Zyl mentioned that the Municipality has no control over the situation of improving the salary structure; it is the Bargaining Council's responsibility.

3.8 Action Plan to address emphasis of matter raised by the Auditor- General on the 2009/2010 Audit Report

- Ms A.R. Ngwenya reported on the action plan to be implemented during 2010/2011.

// Councillor T.E. Ndlovu joined the meeting at this stage.//

3.9 Presentation by MPMS to deal with Auditor General's matters of emphasis

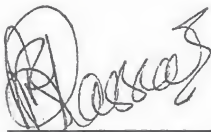
- Mr S.D. Sibande reported on the internal process that will address issues raised by the Auditor General's office.

4. NEXT MEETING

- The next meeting will be held at the Activities Room, Main Library on 24 January 2011 at 14:00.

5. CLOSURE

The meeting was terminated at 14:55.



Councillor: Z. Rasool

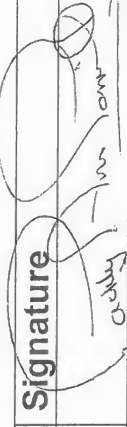



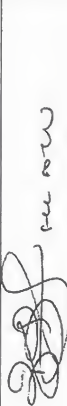



Chairperson: Oversight Committee



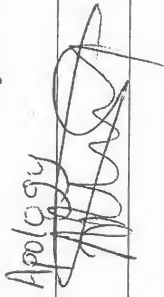
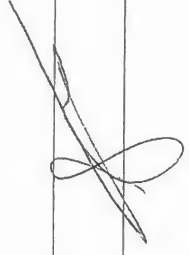
25.01.2011
Date



**EMNAMBITHI/ LADYSMITH MUNICIPALITY
OVERSIGHT COMMITTEE MEETING**

ATTENDANCE REGISTER

17 January 2011

No.	Name & Surname	Designation	Signature
1.	Porrill P A	Emnambithi/ Ladysmith Councillor	
2.	Jubber (Pastor) B D	Emnambithi/ Ladysmith Councillor	
3.	Ndlovu T E	Emnambithi/ Ladysmith Councillor	
4.	Ramdaas Bachu V	Emnambithi/ Ladysmith Councillor	
5.	Warasally A S D	Emnambithi/ Ladysmith Councillor	
6.	Rasool Z B	Emnambithi/ Ladysmith Councillor	Present
7.	Khumalo B B	Emnambithi/ Ladysmith Councillor	
8.	Kunene T P	Performance Audit Committee- Chairperson	
9.	Kubheka H P H	Performance Audit Committee- Member	
10.	Rautenbach C J	Performance Audit Committee- Member	Apology
11.	Gard G C H	Audit Committee- Chairperson	Apologies
12.	De Franca E	Audit Committee Member	
13.	Kean P	Audit Committee Member	Apology

No.	Name & Surname	Designation	Signature
14.	Mdakane N J	Municipal Manager	
15.	Reddy R G	Executive Manager: Governance & Transformation	
16.	Khathide M P	Manager: Economic Development	
17.	Ngwenya A R	Executive Manager: Finance (CFO)	
18.	Jhetam R	Manager: Finance	
19.	Sompersadh A	Manager: Engineering Services	
20.	Breedt J H P	Manager: Public Safety	
21.	Mathew S	Executive Manager: Infrastructure & Services	
22.	Shazi- Mntaka P S	Senior Legal Advisor	
23.	Van Zyl H	Manager: Corporate Services	Present
24.	Cronje C	Assistant Manager: Finance	
25.	Mahraj S	Chief: Internal Auditor	
26.	Sibande S D	Manager: Performance Management	

No.	Name & Surname	Designation	Signature
27.		Representative: Auditor General's Office	
28.		Representative: Department of Co-operative Governance and Traditional Affairs	
29.	Zuma D N	Risk Officer	
30.	Khulu M	Monitoring and Evaluation Officer	
31.			
32.			
33.			
34.			
35.			

OVERSIGHT COMMITTEE MEETING

EMNAMBITHI/ LADYSMITH MUNICIPALITY

MINUTES OF THE OVERSIGHT MEETING HELD ON MONDAY, 24 JANUARY 2011 IN THE ACTIVITIES ROOM- MAIN LIBRARY, MURCHISON STREET, LADYSMITH

PRESENT

Councillors

Z Rasool
BB Khumalo
ASD Warasally
V Ramdaas Bachu
TE Ndlovu

Officials

NJ Mdakane
AR Ngwenya
RG Reddy
MP Khathide
S Sibande
S Mahraj
DN Zuma
M Khulu

Audit Committee Members

GCH Gard: Chairperson

Performance Audit Committee Members

TP Kunene: Chairperson
HPH Kubeka

LEAVE OF ABSENCE

Councillor: BD Jubber
PS Mntaka
CJ Rautenbach
P Kean
E de Franca

- 1. NOTICE CONVENING THE MEETING**
Read.

2. LEAVE OF ABSENCE

Application for leave of absence was received from Mr C.J. Rautenbach, Councillor B.D. Jubber, Mrs P.S. Mntaka, Mr P. Kean and Mrs E. de Franca.

3. MINUTES DATED 17 JANUARY 2011

Councillor V. Ramdaas Bachu moved for the adoption of minutes dated 17th January 2011 and Councillor T.E. Ndlovu seconded it.

4. DRAFT OVERSIGHT COMMITTEE REPORT

- Mr S.D. Sibande went through the Draft Oversight Committee Report for 2009/2010.

//Before discussing the issues raised by Councillors, it was agreed that Councillor V. Ramdaas Bachu should not leave the meeting.//.

ISSUES RAISED BY COUNCILORS AND MANAGEMENT RESPONSE

In the report to the Oversight Committee's meeting of 17 January 2011, the following is stated on page 14 of the report:

3) Have arrears for rates and services owed by Councillor in which the arrears was for more than 90 days been disclosed including the name of the Councillor.

REPLY:

3) Councillors arrears for rates are up to date.

According to information Councillor V. Ramdaas Bachu is in arrears of approximately R7 500.00.

Section 12A of the Code of Conduct promulgated in terms of the Municipal Systems Act of 2000 provides:

"12A A Councillor may not be in arrears to the Municipality for rates and services charges for a period of longer than 3 months".

MANAGEMENT RESPONSE

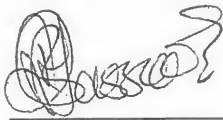
Councillor Bachu's account was in arrears as at 30 June 2010 because her meter was not read for number of months and the Council used estimates to bill her electricity account. When the actual reading took place towards year end, a total amount of R8 219.89 became due and was deducted from her allowance for June 2010. However she wrote to Management requesting that an arrangement be made so that Council can deduct for a period of 18 months to recover the amount and it was approved and currently deductions are underway as per agreement.

RESOLVED

- That the Draft Oversight Committee report for 2009/2010 be adopted without reservations.
- That in future, Mr Sibande workshop Councillors with regards to the Annual Report and the issues to raise when making their submissions. And for communities to be familiarised with the Annual Report so that they may be able to comment on it.
- That the Oversight Committee Report be tabled to EXCO this week and to Council in February 2011.

5. CLOSURE

The meeting was terminated at 14:35.



Councillor: Z. Rasool
Chairperson: Oversight Committee


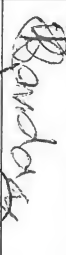







25.01.2011










Date

EMNAMBITHI/ LADYSMITH MUNICIPALITY OVERSIGHT COMMITTEE MEETING

ATTENDANCE REGISTER

24 January 2011

No.	Name & Surname	Designation	Signature
1.	Porill P A	Emnambithi/ Ladysmith Councillor	
2.	Jubber (Pastor) B D	Emnambithi/ Ladysmith Councillor	LOA
3.	Ndlovu T E	Emnambithi/ Ladysmith Councillor	
4.	Ramdaas Bachu V	Emnambithi/ Ladysmith Councillor	
5.	Varasally A S D	Emnambithi/ Ladysmith Councillor	
6.	Rasool Z B	Emnambithi/ Ladysmith Councillor	
7.	Khumalo B B	Emnambithi/ Ladysmith Councillor	
8.	Kunene T P	Performance Audit Committee- Chairperson	
9.	Kubheka H P H	Performance Audit Committee- Member	
10.	Rautenbach C J	Performance Audit Committee- Member	
11.	Gard G C H	Audit Committee- Chairperson	
12.	De Franca E	Audit Committee Member	LOA
13.	Kean P	Audit Committee Member	LOA

No.	Name & Surname	Designation	Signature
14.	Mdakane N J	Municipal Manager	
15.	Reddy R G	Executive Manager: Governance & Transformation	
16.	Knathide M P	Manager: Economic Development	
17.	Ngwenya A R	Executive Manager: Finance (CFO)	
18.	Jhetam R	Manager: Finance	
19.	Sompersadh A	Manager: Engineering Services	
20.	Breedt J H P	Manager: Public Safety	
21.	Mathew S	Executive Manager: Infrastructure & Services	
22.	Shazi- Mntaka P S	Senior Legal Advisor	LEAVE
23.	Van Zyl H	Manager: Corporate Services	
24.	Cronje C	Assistant Manager: Finance	
25.	Mahraj S	Chief: Internal Auditor	
26.	Sibande S D	Manager: Performance Management	
27.	Zuma D N	Risk Officer	
28.	Khulu M	Monitoring and Evaluation Officer	

Extract of Minutes

ORDINARY COUNCIL MINUTES

EMNAMBITHI/LADYSMITH MUNICIPALITY

COUNCIL

MINUTES OF AN ORDINARY MEETING OF THE EMNAMBITHI/LADYSMITH COUNCIL HELD ON THURSDAY, 27 JANUARY 2011 IN THE TOWN HALL BUILDING, MURCHISON STREET, LADYSMITH AT 15:00 (NS)

PRESENT.

As per the attached attendance register.

LEAVE OF ABSENCE

Councillors	L	Chetty	-	written
	P A	Porril	-	written
	Z D	Dlaedwa	-	verbal (written to be followed up)
	N T	Gumbi	-	verbal
	B D	Jubber		

LATE ARRIVALS

Councillors	A S D	Warasally
	M	Mtshali
	Z B	Rassool
	B R	Madonsela
	A S	Fakude
	M N	Mlotshwa
	G S	Nkosi
	F A	Khan
	S C	Dube
	S D	Sokhela
	ML	Zwane
	J M	Magasela
	T E	Ndlovu

ABSENT

Councillors	B B	Biyela
	S O	Mahlaba
	G L S	Mokoena
	S W	Nkosi
	S V	Shabalala
	S H	Thusi
	J M H	Wood

STAFF

Messrs	N J	Mdakane	-	Municipal Manager
	R G	Reddy	-	Executive Manager Governance and Transformation
Ms	A	Ngwenya	-	Executive Manager Finance (CFO)
Messrs	M P	Khathide	-	Manager Economic Development
	A	Sompersadh	-	Manager Engineering Services
	H A	Van Zyl	-	Manager Corporate Services
	J H P	Breedt	-	Manager Public Safety
	R	Jhetam	-	Manager Finance
	P	Ramdunder	-	Assistant Electrical Engineer
	S P	Shezi	-	Legal Advisor
Ms	R	Sompersadh	-	Assistant Manager - Finance

ITEM A 11
LC11/01/2011
MFMA: OVERSIGHT REPORT

ITEM A 11 OF 27/01/2011 RESOLVED

1. That the recommendations of the Oversight Report are adopted.
2. That the Draft Oversight Report is adopted and that copies of the report be made available to the public within seven (7) days of its adoption.
3. That the Accounting Officer submit copies of the report, including minutes of the meetings to the Auditor-General, the relevant Provincial Treasury and the Department of Co-operative Governance and Traditional Affairs.
4. That the Oversight Report be referred to the SCOPA for consideration.

EMF: CFO

Moved by:	Councillor N P Sigasa
Seconded by:	Councillor B S E Cebekhulu
Voting For:	38
Voting Against:	0

